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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/531,169

02/28/2006

Eileen Anne Corry

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2119 7590 11/27/2007  
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EXAMINER

CLINE, SALLY COLSON

ART UNIT

PAPER NUMBER

3765

MAIL DATE

DELIVERY MODE

11/27/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/531,169

Applicant(s)

CORRY ET AL.

Examiner

Sally Colson Cline

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2005 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment, filed 23 March 2007, has been reviewed and considered. Applicant's replacement specification corrects the specification objection raised in the previous Office Action. Claim 25 is amended and claim 29 is canceled, leaving claims 15-28 pending. In view of Applicant's replacement specification, and amendments to the claims, the specification and claim objections presented in the previous Office Action are withdrawn. This Office Action is considered a non-final rejection.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

3. Claims 15-23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park (USPN 6,698,027) in view of Oury (USPN 7,101,286).

As to claim 15, Park discloses the invention substantially as claimed, including a pair of gloves (100, 200) with finger and thumb sheaths, a bi-colored (col 4 line 31-32) front and back, and a narrow band (120) across the front. When the golf club is held correctly, only portions of one color are visible to a user (col 4 line 47-53). Park discloses a semi-circular formation (240) on the front of one glove, but does not expressly disclose a circular formation on the thumb of one glove. Oury teaches a similar invention (100, 200), including a circular formation (102) on the thumb (104) and corresponding semi-circular formation (201) on the front (209) of the other glove. Both

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the invention of Park and the invention of Oury function to train a golfer's grip with visual indicators. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Park with the formations of Oury for the purpose of aiding in attaining a correct grip (pp 0025).

As to claim 16, Park discloses a dart (130) of a contrasting color to the surrounding material at the bottom of the thumb sheath, between the thumb and forefinger.

As to claim 17, Park discloses the bi-colors contrast, because any two colors that are not the same are contrasting.

As to claim 18, Park discloses a fastening device (fig 3a) on the back of each glove near the cuff.

As to claim 19, Park discloses the fastening device is a slit (fig 3a) with a first and second zone under the tab, and the zones mate together (fig 3a).

As to claim 20, Park discloses the invention substantially as claimed, but does not expressly disclose hook and loop fastener. It is well known in the art that various types of fastening mechanisms are functionally equivalent. Hook and loop, button and buttonhole, hook and catch, snaps and adhesive are a few examples. These fasteners may be used interchangeably depending upon the desired aesthetic effect. Further, the specification does not give an indication of why the hook and loop fastener would be desirable over another fastener type.

As to claim 21, Park discloses what appears to be an elasticized membrane at the cuff (fig 3a).

As to claims 22-23, Park discloses the differently colored portions of the gloves are determined by the visible and non-visible areas of the gloves in use, when the correct grip is adopted (col 4 line 47-53).

As to claim 28, Park in view of Oury discloses apertures vent each finger sheath.

4. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park in view of Oury as applied to claim 16 above, and further in view of Harvanek (USPN 5,542,126).

As to claims 24-26, Park in view of Oury discloses the invention substantially as claimed, but does not expressly disclose an elongated panel. Harvanek teaches a similar invention (10), including an elongated panel of material (62) similar in color to the dart (42) on the back of the other glove to appear, in use, parallel to the dart when a correct grip is adopted by a user (fig 14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Park in view of Oury with the panel of Harvanek for the purpose of assuring the user the hands are properly positioned on the club (col 8 line 10-21).

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park in view of Oury as applied to claim 15 above, and further in view of Antonious (3,255,462).

As to claim 27, Park discloses the invention substantially as claimed, but does not expressly disclose vent openings between each finger sheath. It is well known in the golf glove art to provide ventilated fourchettes to cool the hands of a user to prevent sweating and subsequent slipping of the hand inside the glove when precision is required. Antonious teaches a similar invention (10), including. Vent openings (154)

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between each finger sheath. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the finger sheaths of Park with the vents of Antonious for the purpose of providing "adequate air cooling for the fingers" (col 7 line 20-22).

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 15-28 have been considered but are moot in view of the new ground(s) of rejection.

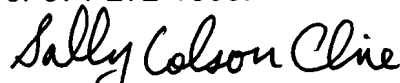
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sally Colson Cline whose telephone number is 571-272-6731. The examiner can normally be reached on 830AM - 5PM EST, M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on 571-272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Sally Colson Cline  
Examiner  
Art Unit 3765

SCC



KATHERINE MORAN  
PRIMARY EXAMINER